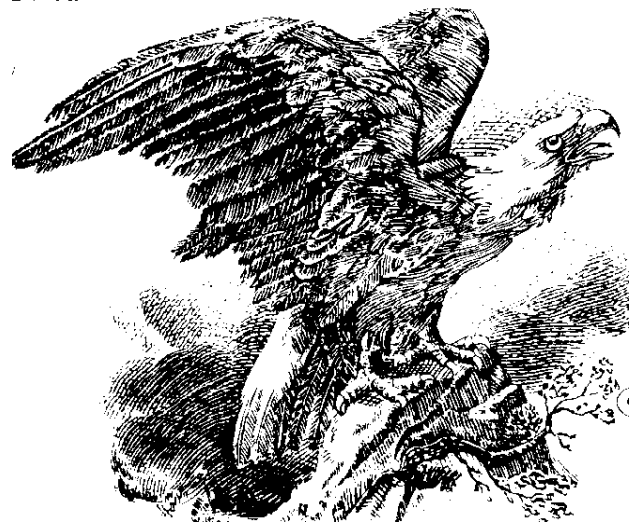


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Docket Management System
US DOT
Room Plaza 401
400 Seventh Ave, SW
Washington DC 20590-0001

Reference: Docket No. FAA-2002-11301

Aviation and Small Business Consortium Inc (ASBC) would like to submit comments on the Proposed changes to Appendix I (Drug Testing)

II. Definitions:

Employer: I think that the Reg need to show the examples that are in the comments on page 9369.

I think another area that should be addressed here is to explain the 135.1C individual or company. Being a Consortium for the past 13 years one of the biggest problems I find is that those performing 135.1C activities say they don't need to comply with the Part. They say that they don't have to read Part 135 at all. So when the reg says 135.1C it should also say scenic aircraft operations.

III. Employees Who Must be Tested:

I like this section because it makes it very clear that those who must be in a program is defined by the duties the individual performs. The actual reg doesn't mention that "helpers" must be included, this may cause some question.

V. Types of Drug testing Required:

V.A. Pre-employment:

I am in agreement with this section to include the requirement of another pre-employment test if more then 60 days have elapsed between the test and the actual hiring.

Also the need for the employer to have the negative test result prior to allowing the employee to perform safety-sensitive duties is very important espically with the number of positive pre-employment tests.

V.C. Random Testing:

This is another area of confusion; I hear from many that the employee has 2 hours to report to the testing facility. I think that this is clear up the misunderstanding that a lot of companies have.

V.E. Testing Based on Reasonable Cause:

I think that this area doesn't go far enough, why should it matter if the individual that is exhibiting signs and/or symptoms of drug or alcohol use is an employee or a contract employee, in either case they are performing safety-sensitive duties and could cause an accident or incident.

My suggestion would be to remove the "may" and replace it with "shall".

IX. Implementing an Anitdrug Program

One comment to these changes, it needs to be made very clear what the current Part 135 and Part 135.1 c individuals have to do to comply with the changes.

As far as the format of the application, I think that each format is understandable. The table is a little easier to understand.

Will the Consortium/Third Party Administrators be able to fill out the forms and send to the company for signature and to send in?

I would like to thank you for the opportunity to voice my opinions on these proposed changes. If you have any questions please feel free to contact me.

Dean Klassy
COO